

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CITIBANK, N.A.,
Petitioner,
-against-
JAMES MCPARTLAND,
Respondent.

20-CV-8673 (ALC) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

On July 7, 2023, I issued a Report and Recommendation (R&R) (Dkt. 26) recommending that the contempt motion of petitioner Citibank, N.A. (Citi) be granted and that respondent James McParland, against whom a default judgment has been entered (Dkt. 16), be held in contempt of court and fined due to his failure to obey this Court's order (Dkt. 21) directing him to respond to Citi's asset interrogatories. The R&R advised the parties, pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b) and 6(a), that they had fourteen days from July 7, 2023 to file written objections to my recommendations. R&R at 11.

Fed. R. Civ. P. 72(b)(1) requires that the Clerk of Court "promptly mail a copy" of a magistrate judge's R&R "to each party." No physical mailing was required as to Citi, which has appeared through counsel who are registered for electronic service through the Court's Electronic Case Management (ECF) system. Respondent McPartland, however, has never appeared in this action, either *pro se* or through counsel, and thus does not have an address of record to which the Clerk can "promptly mail" the R&R. Consequently, it is hereby ORDERED that Citi shall serve a copy of (i) the R&R and (ii) this Order upon respondent McPartland, by mail, at his last known address, and shall promptly file proof of such service upon the docket.

It is FURTHER ORDERED that McParland shall have **seventeen days** from the date on which Citi completes such mailing to file written objections to the R&R. *See* Fed. R. Civ. P. 6(d), 72(b)(2).

Dated: New York, New York
July 10, 2023


BARBARA MOSES
United States Magistrate Judge